

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) CRIMINAL NO. 04-10083-N6
)
v.) VIOLATIONS:
)
1. EDWIN RODRIGUEZ) 21 U.S.C. § 846--
AKA "KING CHOLO") Conspiracy To Distribute
) Cocaine Base
2. JOSUE RODRIGUEZ) 21 U.S.C. § 841(a)--
AKA "PERRO") Distribution Of Cocaine
) Base
) 18 U.S.C. § 2--
) Aiding and Abetting
)
) 21 U.S.C. § 853--
) Criminal Forfeiture
) Allegation

INDICTMENT

COUNT ONE: (21 U.S.C. § 846--Conspiracy to Distribute Cocaine Base)

The Grand Jury charges that:

In or about December 2003, at Lawrence and elsewhere in the District of Massachusetts,

1. EDWIN RODRIGUEZ, AKA "KING CHOLO", and
2. JOSUE RODRIGUEZ, AKA "PERRO"

defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with each other, and with persons unknown to the Grand Jury, to possess with intent to distribute, and to distribute, cocaine base, also known as "crack cocaine," in violation of Title 21, United States Code, Section 841(a)(1).

The Grand Jury further alleges that the conspiracy described herein involved at least 5 grams of a mixture or a substance containing a detectable amount of cocaine base, also known as "crack cocaine," a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841 (b) (1) (B) (iii).

All in violation of Title 21, United States Code, Section 846.

COUNT TWO: (21 U.S.C. § 841(a)(1)--Distribution Of Cocaine Base; 18 U.S.C. §2--Aiding and Abetting))

The Grand Jury further charges that:

On or about December 5, 2003, at Lawrence, in the District of Massachusetts,

1. EDWIN RODRIGUEZ, AKA "KING CHOLO", and
2. JOSUE RODRIGUEZ, AKA "PERRO"

defendants herein, did knowingly and intentionally possess with intent to distribute and did distribute cocaine base, also known as "crack cocaine," a Schedule II controlled substance.

The Grand Jury further alleges that the offense described herein involved at least 5 grams of a mixture or a substance containing a detectable amount of cocaine base, also known as "crack cocaine", a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841 (b)(1)(B)(iii).

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION
(21 U.S.C. § 853)

The Grand Jury further charges that:

1. As a result of the offenses alleged in Counts 1 and 2 of this Indictment,

1. **EDWIN RODRIGUEZ, AKA "KING CHOLO", and**
2. **JOSUE RODRIGUEZ, AKA "PERRO"**

defendants herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violations.

2. If any of the property described in paragraph 1, above, as a result of any act or omission of the defendants --

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property

described in paragraph 1.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL



PATRICIA COSTA
FOREPERSON OF THE GRAND JURY



JOHN A. WORTMANN, JR.
PETER K. LEVITT
ASSISTANT U.S. ATTORNEYS

DISTRICT OF MASSACHUSETTS; March 25, 2004.

Returned into the District Court by the Grand Jurors and filed.



THOMAS F. COUGHLIN, JR.
DEPUTY CLERK
3/25/04 12:10pm